PATENT Alty, Dkt. No. OLYM/0095

#### REMARKS

This is intended as a full and complete response to the Final Office Action dated April 6, 2005, having a shortened statutory period for response set to expire on July 6, 2005. Please reconsider the claims pending in the application for reasons discussed below.

# Claim Rejections - 35 U.S.C. § 102 (Malard et al.)

Claims 26 and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Malard et al.* (U.S. Patent No. 6,735,879). Claims 22-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Chen* (U.S. Patent No. 6,763,598). In response, Applicants have canceled these claims without prejudice.

## Claim Rejections - 35 USC § 103

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen in view of Schwandt (U.S. Patent No. 5,063,679).

In response, Applicants amended claim 1 to include the limitation previously in claim 41, which depended from claim 1 and was objected to as being based upon a rejected base claim but would be allowable if rewritten in independent form. Accordingly, Applicants submit that claim 1 is patentable over the cited references and respectfully request withdrawal of the rejection and allowance of the claim.

Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Malard et al.* '879 in view of *Schwandt*. Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Malard et al.* '879 in view of *Tursi* (U.S. Patent No. 4,924,297). Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Malard et al.* '879 in view of *Claxton* (U.S. Patent No. 5,394,616). Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Malard et al.* '879 and *Schwandt* in view of *Dawson* (U.S. Patent No. 5,279,524). In response, Applicants have canceled these claims without prejudice.

Claims 38 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Malard et al. (U.S. Publication No. 2004/0004825) in view of Schwandt and further

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in view of Dawson.

In response, Applicants amended claim 38 to include the limitation previously in claim 39, which depended from claim 38 and was objected to as being based upon a rejected base claim but would be allowable if rewritten in independent form. Accordingly, Applicants submit that claim 38 and claim 40 dependent thereon is patentable over the cited references and respectfully request withdrawal of the rejection and allowance of the claims.

### Allowable Subject Matter

Claims 2, 4-10, 12-15, 19-21 and 33-37 are indicated to be allowed. Applicants acknowledge allowance of these claims.

Claims 39 and 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any Intervening claims. In response, Applicants have amended claim 1 to include the limitation of claim 41 that depended from claim 1. Further, Applicants have amended claim 38 to include the limitation of claim 39 that depended from claim 38.

#### Conclsuion

The references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the Final Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,

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